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Attorney for Defendants,
WILLIAM WALTER WRIGHT, et al

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:

SPECTRUM LINK, INC.,

Debtor.

HOWARD M. EHRENBERG, Chapter 7
Trustee,

Plaintiff,

vs.

WILLIAM WALTER WRIGHT, an individual,
AMY BARRIOS-WRIGHT, an individual, AWB
CONSULTING LLC, a California limited liability
company, ENUMAH GROUP, LLC, a California
limited liability company, NEW BEGINNINGS
APOSTOLIC COMMUNITY CHURCH, INC., a
California corporation, SLOANE STREET, LLC,
a Delaware limited liability company, and OLD
WORLD ANTIQUITIES LLC, a California
limited liability company,

Defendants,

Case No. 2:21-bk-16403-VZ

Chapter 7

Adversary No.: 2:23-ap-01165-VZ

AMENDED ANSWER TO PLAINTIFF'S
COMPLAINT

(No Hearing Required)

1 Defendants amend their Answer to Plaintiff's complaint as follows:

2 Defendants adopt and incorporate by reference herein their previous Answer filed
3 herein on 7/19/2023 as Docket No. 25, (a copy of which is attached hereto as Exhibit 1), with
4 the following revisions.

5 1. Affirmative Defenses numbered 2, 3, 6, 7, 8, 9, 10 and 13 are withdrawn.

6 2. Affirmative Defense number 4 is amended to read as follows:

7 FOURTH AFFIRMATIVE DEFENSE (Statute of Limitations).
8 Plaintiff's 6th Cause of Action is barred by the 4 year statute of limitation under
9 California Code of Civil Procedure Sec. 337, and/or California Civil Code Sec.
10 3439.09.

11 3. Affirmative Defense Number 5 is amended to read as follows:

12 FIFTH AFFIRMATIVE DEFENSE (Laches).
13 Plaintiff failed to take legal action for an unreasonably long time, causing
14 disadvantages to Defendants in defending the claims.

15 Dated: 10/6/2023

Crowder Law Center, P.C

16 By: /s/ Douglas A. Crowder
17 Douglas A. Crowder
18 Attorney for Defendants
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
303 N. Glenoaks Blvd., Suite 200, Burbank, CA 91502

A true and correct copy of the foregoing document entitled (*specify*): **AMENDED ANSWER**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 10/6/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Douglas A Crowder** dcrowder@crowderlaw.com
- **Howard M Ehrenberg (TR)** ehrenbergtrustee@gmlaw.com, ca25@ecfbis.com; C123@ecfbis.com; howard.ehrenberg@ecf.courtdrive.com; Karen.Files@gmlaw.com
- **Mark S Horoupian** mark.horoupian@gmlaw.com, mhoroupian@ecf.courtdrive.com; cheryl.caldwell@gmlaw.com; karen.files@gmlaw.com
- **United States Trustee (LA)** ustpreion16.la.ecf@usdoj.gov
- **Steven Werth** steven.werth@gmlaw.com, swerth@ecf.courtdrive.com; pdillamar@ecf.courtdrive.com; Karen.Files@gmlaw.com; patricia.dillamar@gmlaw.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/6/2023

Date

Douglas A. Crowder

Printed Name

/s/ Douglas A. Crowder

Signature

Exhibit 1

Exhibit 1

Christopher Ellison (CA Bar No. 248545)
cellison@eaalawfirm.com
ELLISON & ASSOCIATES
6242 Westchester Pkwy, Suite 240
Los Angeles, CA 90045
Phone: (310) 882-6239
Facsimile: (310) 882-6237

Attorneys for Defendants

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION

In re:

SPECTRUM LINK, INC.,

Debtor.

HOWARD M. EHRENBERG, Chapter 7
Trustee,

Plaintiff,

vs.

WILLIAM WALTER WRIGHT, an individual,
AMY BARROWS-WRIGHT, aka AMY
BARRIOS-WRIGHT, an individual, AWB
CONSULTING LLC, a California limited
liability company, ENUMAH GROUP, LLC, a
California limited liability company, NEW
BEGINNINGS APOSTOLIC COMMUNITY
CHURCH, INC., a California corporation,
SLOANE STREET, LLC, a Delaware limited
liability company, and OLD WORLD
ANTIQUITIES LLC, a California limited
liability company,

Defendants.

Case No.: 2:21-bk-16403-VZ

Chapter 7

Adversary No.: 2:23-ap-01165-VZ

**DEFENDANTS' ANSWER TO
PLAINTIFF'S COMPLAINT**

ASSIGNED FOR ALL PURPOSES TO
JUDGE VINCENT ZURZOLO

Defendants WILLIAM WALTER WRIGHT, AMY BARROWS-WRIGHT, AWB
CONSULTING LLC, ENUMAH GROUP, LLC, NEW BEGINNINGS APOSTOLIC
COMMUNITY CHURCH, INC., SLOANE STREET, LLC, and OLD WORLD ANTIQUITIES
LLC (“Defendants”), through its undersigned counsel, answers the Complaint (“the Complaint”)
filed by Plaintiff and Chapter 7 Trustee HOWARD M. EHRENBURG (“Plaintiff”). Defendants
deny all allegations in the Complaint not specifically admitted in this Answer.

INTRODUCTION

1. Answering Paragraph 1, Defendants assert that this Paragraph contains legal
conclusions, and does not contain factual allegations that require a response. To the extent a
response is required, Defendants deny each and every allegation contained therein.

2. Answering Paragraph 2, Defendants assert that this Paragraph contains legal
conclusions, and does not contain factual allegations that require a response. To the extent a
response is required, Defendants deny each and every allegation contained therein.

3. Answering Paragraph 3, Defendants assert that this Paragraph contains legal
conclusions, and does not contain factual allegations that require a response. To the extent a
response is required, Defendants deny each and every allegation contained therein.

4. Answering Paragraph 4, Defendants assert that this Paragraph contains legal
conclusions, and does not contain factual allegations that require a response. To the extent a
response is required, Defendants deny each and every allegation contained therein.

5. Answering Paragraph 5, Defendants assert that this Paragraph contains legal
conclusions, and does not contain factual allegations that require a response. To the extent a
response is required, Defendants deny each and every allegation contained therein.

JURISDICTION AND VENUE

6. Answering Paragraph 6, Defendants admit that Plaintiff purports to bring an adversary proceeding, pursuant to Federal Rule of Bankruptcy Procedure.

7. Answering Paragraph 7, Defendants deny this court has subject matter jurisdiction over this action. To the extent a further response is required, Defendants deny any remaining factual allegations contained in Paragraph 7 of the Complaint.

8. Answering Paragraph 8, Defendants deny this court has jurisdiction to hear and determine this proceeding and to enter an appropriate order and judgement. To the extent a further response is required, Defendants deny any remaining factual allegations contained in Paragraph 7 of the Complaint.

9. Answering Paragraph 9, Defendants deny this court is the proper venue for this action. To the extent a further response is required, Defendants deny any remaining factual allegations contained in Paragraph 7 of the Complaint.

PARTIES

10. Answering Paragraph 10, Defendants assert that this Paragraph contains legal conclusions, and does not contain factual allegations that require a response. To the extent a response is required, Defendants deny each and every allegation contained therein.

11. Answering Paragraph 11, Defendants admit William Wright resides at 22529 North Summit Ridge Circle, Chatsworth, California 91311-2673 and has opened various accounts at Wells Fargo. Defendants deny any remaining factual allegations in Paragraph 11 of the complaint.

12. Answering Paragraph 12, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 13. Answering Paragraph 13, Defendants admit that Amy Wright is married to Mr
2 Wright. Defendants lacks sufficient knowledge to information to form a belief as to the truth of
3 the rest of the allegations contained in Paragraph 13 of the complaint and denies the allegations
4 therein on that basis.

5 14. Answering Paragraph 14, Defendants admit that AWB Consulting LLC, is a
6 California limited liability company. Defendants lacks sufficient knowledge to information to
7 form a belief as to the truth of the rest of the allegations contained in Paragraph 14 of the
8 complaint and denies the allegations therein on that basis.

9 15. Answering Paragraph 15, Defendants admit that Enumah Group LLC, is a
10 California limited liability company. Defendants lacks sufficient knowledge of information to
11 form a belief as to the truth of the rest of the allegations contained in Paragraph 15 of the
12 complaint and denies the allegations therein on that basis.

13 16. Answering Paragraph 16, Defendants admit that New Apostolic Community
14 Church, Inc., is a California nonprofit religious corporation. Defendants lacks sufficient
15 knowledge of information to form a belief as to the truth of the rest of the allegations contained
16 in Paragraph 16 of the complaint and denies the allegations therein on that basis.

17 17. Answering Paragraph 17, Defendants admit that Sloane Street LLC, is a limited
18 liability company. Defendants lacks sufficient knowledge of information to form a belief as to
19 the truth of the rest of the allegations contained in Paragraph 17 of the complaint and denies the
20 allegations therein on that basis.

21 18. Answering Paragraph 18, Defendants admit that Old World Antiquities LLC, is a
22 California limited liability company. Defendants lacks sufficient knowledge of information to
23 form a belief as to the truth of the rest of the allegations contained in Paragraph 14 of the
24 complaint and denies the allegations therein on that basis.

GENERAL ALLEGATIONS

I. Debtor's Operations

19. Answering Paragraph 19, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

20. Answering Paragraph 20, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21. Answering Paragraph 21, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

22. Answering Paragraph 22, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23. Answering Paragraph 23, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

24. Answering Paragraph 24, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

25. Answering Paragraph 25, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

26. Answering Paragraph 26, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

27. Answering Paragraph 27, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

II. The Fraud

28. Answering Paragraph 28, Defendants lacks sufficient knowledge to information to form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 29. Answering Paragraph 29, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 30. Answering Paragraph 30, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 31. Answering Paragraph 31, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 32. Answering Paragraph 32, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 33. Answering Paragraph 33, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 34. Answering Paragraph 34, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 35. Answering Paragraph 35, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 36. Answering Paragraph 36, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 37. Answering Paragraph 37, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 38. Answering Paragraph 38, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 39. Answering Paragraph 39, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 40. Answering Paragraph 40, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 41. Answering Paragraph 41, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 42. Answering Paragraph 42, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 43. Answering Paragraph 43, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 44. Answering Paragraph 44, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 45. Answering Paragraph 45, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 46. Answering Paragraph 46, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 47. Answering Paragraph 47, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 48. Answering Paragraph 48, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 49. Answering Paragraph 49, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 50. Answering Paragraph 50, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 51. Answering Paragraph 51, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 52. Answering Paragraph 52, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 53. Answering Paragraph 53, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 54. Answering Paragraph 54, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 55. Answering Paragraph 55, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 56. Answering Paragraph 56, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 57. Answering Paragraph 57, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 58. Answering Paragraph 58, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 59. Answering Paragraph 59, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 60. Answering Paragraph 60, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 61. Answering Paragraph 61, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 62. Answering Paragraph 62, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21 63. Answering Paragraph 63, Defendants lacks sufficient knowledge to information to
22 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

23 64. Answering Paragraph 64, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 65. Answering Paragraph 65, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 66. Answering Paragraph 66, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 67. Answering Paragraph 67, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 68. Answering Paragraph 68, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9
10 **III. Trustee's Investigation**

11 69. Answering Paragraph 69, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 70. Answering Paragraph 70, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 71. Answering Paragraph 71, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 72. Answering Paragraph 72, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 73. Answering Paragraph 73, Defendants lacks sufficient knowledge to information to
20 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

21
22 **IV. Transfers**

23 74. Answering Paragraph 74, Defendants lacks sufficient knowledge to information to
24 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

25 75. Answering Paragraph 75, Defendants lacks sufficient knowledge to information to
26 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

1 76. Answering Paragraph 76, Defendants lacks sufficient knowledge to information to
2 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

3 77. Answering Paragraph 77, Defendants lacks sufficient knowledge to information to
4 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

5 78. Answering Paragraph 78, Defendants lacks sufficient knowledge to information to
6 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

7 79. Answering Paragraph 79, Defendants lacks sufficient knowledge to information to
8 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

9 80. Answering Paragraph 80, Defendants lacks sufficient knowledge to information to
10 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

11 81. Answering Paragraph 81, Defendants lacks sufficient knowledge to information to
12 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

13 82. Answering Paragraph 82, Defendants lacks sufficient knowledge to information to
14 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

15 83. Answering Paragraph 83, Defendants lacks sufficient knowledge to information to
16 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

17 84. Answering Paragraph 84, Defendants lacks sufficient knowledge to information to
18 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

19 **V. Badges of Fraud Related to The Four-Year Transfers**

20 85. Answering Paragraph 85, Defendants lacks sufficient knowledge to information to
21 form a belief as to the truth of the allegations and denies the allegations therein on that basis.

22 **FIRST CLAIM FOR RELIEF**

**(Avoidance and Recovery Of Four-Year Transfers As Intentionally Fraudulent
Transfers Pursuant To 11 U.S.C. § 544(b) And 550(a) And Cal. Civil Code §
3439.04(a)(1) and 3439.07)**

86. Defendants reallege and incorporate by reference, as if fully set forth again herein,
the responses contained in the preceding paragraphs.

87. Defendants deny all allegations set forth in Paragraph 87.

88. Defendants deny all allegations set forth in Paragraph 88.

89. Defendants deny all allegations set forth in Paragraph 89.

SECOND CLAIM FOR RELIEF

**(Avoidance and Recovery Of Four-Year Transfers As Constructively Fraudulent Transfers
Pursuant To 11 U.S.C. § 544(b) And 550(a) And Cal. Civil Code§ 3439.04(a)(2)) and §
3439.05 and California Civil Code§ 3439.07)**

90. Defendants reallege and incorporate by reference, as if fully set forth again herein,
the responses contained in the preceding paragraphs.

91. Defendants deny all allegations set forth in Paragraph 91.

92. Defendants deny all allegations set forth in Paragraph 92.

93. Defendants deny all allegations set forth in Paragraph 93.

THIRD CLAIM FOR RELIEF

**(Avoidance and Recovery Of Two-Year Transfers As Intentionally Fraudulent Transfers
Pursuant To 11 U.S.C. §§ 548(a)(1)(A) and 550(a))**

94. Defendants reallege and incorporate by reference, as if fully set forth again herein,
the responses contained in the preceding paragraphs.

95. Defendants deny all allegations set forth in Paragraph 95.

96. Defendants deny all allegations set forth in Paragraph 96.

1 97. Defendants deny all allegations set forth in Paragraph 97.

2 98. Defendants deny all allegations set forth in Paragraph 98.

3 **FOURTH CLAIM FOR RELIEF**

4 **(Avoidance and Recovery Of Two-Year Transfers As Constructively Fraudulent Transfers**

5 **Pursuant To 11 U.S.C. §§ 548(a)(1)(B) and 550(a))**

6
7 99. Defendants reallege and incorporate by reference, as if fully set forth again herein,
8 the responses contained in the preceding paragraphs.

9 100. Defendants deny all allegations set forth in Paragraph 100.

10 101. Defendants deny all allegations set forth in Paragraph 101.

11 102. Defendants deny all allegations set forth in Paragraph 102.

12 **FIFTH CLAIM FOR RELIEF**

13 **(Recovery Of Transfers Or The Value Thereof Pursuant To 11 U.S.C. § 550)**

14
15 103. Defendants reallege and incorporate by reference, as if fully set forth again herein,
16 the responses contained in the preceding paragraphs.

17 104. Defendants deny all allegations set forth in Paragraph 104.

18 105. Defendants deny all allegations set forth in Paragraph 105.

19 106. Defendants deny all allegations set forth in Paragraph 106.

20 **SIXTH CLAIM FOR RELIEF**

21 **(Account Stated)**

22
23 107. Defendants reallege and incorporate by reference, as if fully set forth again herein,
24 the responses contained in the preceding paragraphs.

25 108. Defendants deny all allegations set forth in Paragraph 108.

26 109. Defendants deny all allegations set forth in Paragraph 109.

27 110. Defendants deny all allegations set forth in Paragraph 110.

PRAYER FOR RELIEF

In response to Plaintiff's "Prayer for Relief" in the Complaint, Defendants deny that Plaintiff is entitled to any type of relief, including but not limited to a declaratory judgment, costs, attorneys' fees, liquidated damages, post-judgment damages, restitution, penalties, compensatory damages or any other relief available by law.

AFFIRMATIVE DEFENSES

Defendants assert the following affirmative and other defenses, which it has designated collectively as "Defenses". Defendants have not yet completed a thorough investigation or completed discovery of all facts and circumstances of the subject matter of the Complaint, and accordingly, reserves the right to amend, modify, revise, or supplement its Answer, and to plead such further defenses and take such further actions as they may deem proper and necessary in their defense upon the completion of said investigation and study. Without waiving or excusing Plaintiff's burden of proof or admitting that the Defendants have any burden of proof whatsoever, Defendants assert the following separate and distinct defenses and affirmative defenses.

FIRST DEFENSE

(Failure to State a Claim)

1. Plaintiff fails to state a claim upon which relief can be granted for each and every cause of action set forth in the Complaint.

SECOND DEFENSE

(Due Process)

2. Prosecuting this action, as applied to the facts and circumstances of this case, would constitute a denial of Defendants' due process rights, both substantive and procedural, in

1 violation of the California Constitution and the Fourteenth Amendment to the United States
2 Constitution.

3 **THIRD DEFENSE**

4 (Lack of Standing)

5 3. Plaintiff lacks standing to pursue injunctive or declaratory relief against
6 Defendants, who are not debtors and/or creditors in the underlying bankruptcy action.

7 **FOURTH DEFENSE**

8 (Statute of Limitations)

9 4. Each and every cause of action is barred, in whole or in part, by the applicable
10 statute of limitations.

11 **FIFTH DEFENSE**

12 (Equitable Defenses)

13 5. Each and every cause of action is barred, in whole or in part, by the doctrines of
14 laches, estoppel, waiver, release, and/or unclean hands.

15 **SIXTH DEFENSE**

16 (Exhaustion)

17 6. Plaintiff failed to properly exhaust all of the applicable contractual, administrative
18 and/or statutorily required remedies prior to filing this action, and that such failure bars the suit
19 in whole or in part.

20 **SEVENTH DEFENSE**

21 (Damages of Loss Proximately Caused by Plaintiff)

22 7. Defendant alleges that any damage or loss sustained by Plaintiff was proximately
23 caused by their own actions or inactions.

24 **EIGHTH DEFENSE**

(Failure to Mitigate)

8. Defendants allege that Plaintiff failed to exercise reasonable care to mitigate damages.

NINTH DEFENSE

(*Res Judicata* and/or Collateral Estoppel)

9. Defendants allege that Plaintiff's claims are barred, in whole or in part, on the grounds of *res judicata* and/or collateral estoppel.

TENTH DEFENSE

(Excessive Fines)

10. Defendants allege that any claims of Plaintiff seeking damages or penalties are barred, in whole or in part, because the imposition of such damages in this case would violate the due process and excessive fines clauses in violation of the Eight Amendment to the United States Constitution and Article I, Section 7 of the California Constitution.

ELEVENTH DEFENSE

(Substantial Compliance)

11. Defendants allege that any violation or harm was an act or omission made in good faith and Defendants had reasonable grounds for believing that policies and practices complied with applicable laws and that any such act or omission was not an act of fraud or misrepresentation such that there is no entitlement to any damages.

TWELTH DEFENSE

(Lack of subject-matter jurisdiction; Lack of personal jurisdiction; Improper venue; and
Insufficient process)

12. Defendants allege that this court lack subject-matter jurisdiction and personal jurisdiction over the Defendants for this action. This court is the improper venue for this action against the Defendants. This action in this court is the insufficient process .

THIRTEENTH DEFENSE

13. Defendants allege Plaintiff are not entitled under applicable law to recover attorneys' fees for some or all of the claims asserted in the Complaint.

ADDITIONAL DEFENSES

14. Defendants reserve its right to amend this Answer and raise any and all other defenses that are discovery during the pendency of this litigation.

PRAYER FOR RELIEF

WHEREFORE, Defendants pray that:

1. Plaintiff's Complaint be dismissed in its entirety with prejudice and that Plaintiff take nothing by virtue of this action;

2. Judgement be entered in Defendants' favor;

3. Defendants be awarded attorneys' fees and costs of suit incurred herein; and

4. Defendants be awarded such other and further relief as the Court deems just and proper.

Dated: July 6, 2023

Respectfully submitted:

Christopher Ellison
CHRISTOPHER ELLISON
Attorney for Defendants

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the State of California, County of Los Angeles. I am over the age of eighteen and am not a party to the within action; my business address is 8117 W. Manchester Ave Playa Del Rey, CA 90293

On July 7, 2023, I served the foregoing document described as: **DEFENDANTS' ANSWER TO COMPLAINT**, on the Defendant in this action by transmitting ☐ the original ☒ a true copy thereof as follows:

Steven F. Werth, Esq.
GREENSPOON MARDER LLP
Stevn.werth@gmlaw.com

HONORABLE JUDGE VINCENT ZURZOLO

Chambers_VZurzolo@cacb.uscourts.gov

☒ **(BY E-MAIL)** I hereby certify that this document was served by e-mail delivery on the parties listed herein at their most recent e-mail of record in this action on ----- from Los Angeles, California.

☐ **(BY FAX)** I hereby certify that this document was served by facsimile delivery on the parties listed herein at their most recent fax number of record in this action on _____ from Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Executed this July 7, 2023 at Los Angeles, California.

Christopher Ellison
Type or Print Name

/s/Chris Ellison

Signature